



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

*In re* Patent Application of:

Docket No.: 11091181.US

*Seung-Chan BANG, et al.*

Confirmation No: 4177

Application No.: 09/584,189

Group Art Unit: 2631

Filed: May 31, 2000

Examiner: BURD, Kevin Michael

For: APPARATUS AND METHOD FOR MODULATING DATA MESSAGE BY EMPLOYING  
ORTHOGONAL VARIABLE SPREADING FACTOR (OVSF) CODES IN MOBILE  
COMMUNICATION SYSTEM

Commissioner for Patents  
P.O. BOX 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT**

Sir:

In accordance with the duty of disclosure under 37 C.F.R. §§ 1.56, and in compliance with §§ 1.97 - 98 and M.P.E.P. § 609, Applicants respectfully bring the following information listed on accompanying Form PTO/SB/08 to the attention of the Examiner.

Applicants have listed publication dates on the attached PTO/SB/08 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants respectfully assert that the document(s) listed on the accompanying form PTO/SB/08 may not necessarily be prior art, and accordingly, Applicants reserve the right to prove, when appropriate, that a document is not prior art. Moreover, Applicants reserve the right to establish the patentability of the claimed invention over any information provided herewith, and/or, to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application

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does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith. It is further understood that the Examiner will consider information that had been cited by or submitted to the U.S. Patent and Trademark Office in a prior application relied on under 35 U.S.C. §120. 1138 OG 37, 38 (May 19, 1992).

Further to the U.S. Patent and Trademark Office's decision to waive the requirement under 37 C.F.R. §1.98 (a)(2)(i), copies of the U.S. patent(s) and U.S. patent application(s) are not enclosed herewith. However, if any copies are needed, the Examiner is respectfully requested to contact the undersigned.

Copies of the non-U.S. patents and non-U.S. patent applications documents are enclosed together with a duly completed Form PTO/SB/08. The Examiner is accordingly requested to consider each of these documents, and to make them of record in this application by initialing in the appropriate spaces on the Form PTO/SB/08. Applicants respectfully request that the Examiner include a copy of the initialed Form PTO/SB/08 with the next communication from the U.S. Patent and Trademark Office.

Applicants have checked the appropriate boxes below.

- ☐ 1. This Information Disclosure Statement is being filed within three months of the U.S. filing date OR before the mailing date of a first Office Action on the merits OR before the mailing date of a first Office Action after the filing of a request for continued examination under 37 C.F.R. §1.114. No certification or fee is required.
- ☐ 2. Applicants note that an Office Action on the merits has not issued in the above-identified application, and thus no fee is believed necessary to ensure consideration of the submitted material. However, if an Office Action on the merits has issued and crosses this statement in the mail, the undersigned hereby authorizes the Commissioner to charge any fee necessary for the consideration of this statement, including any payment under 37 C.F.R. §1.17 (p) to Deposit Account No. 23-1951.
- ☒ 3. This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection or Notice of Allowance.
  - ☐ a. I hereby certify that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).

- ☐ b. I hereby certify that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).
- ☒ c. Attached is our check in the amount of \$ 180.00 in payment of the fee under 37 C.F.R. § 1.17(p).
- ☐ 4. This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection or Notice of Allowance, but before payment of the Issue Fee. It is hereby requested that the Information Disclosure Statement be considered.
- ☐ a. I hereby certify that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).
- ☐ b. I hereby certify that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).
- ☐ 5. Relevance of the non-English language document(s) is discussed in the specification of the above-identified application.
- ☐ 6. The document(s) was/were cited in a corresponding foreign application. Attached is a copy of the International Search Report.
- ☐ 7. A concise explanation of the relevance of the non-English language document(s) appears below:
- ☐ 8. The Examiner's attention is directed to co-pending U.S. Patent Application No. \_\_\_\_\_, filed \_\_\_\_\_, which is directed to related subject matter. The identification of this U.S. Patent Application is not to be construed as a waiver of secrecy as to that application now or upon issuance of the above-identified application as a patent. The Examiner is respectfully requested to consider the cited application and the art cited therein during examination.
- ☐ 9. Copies of the documents were cited by or submitted to the Office in Application No. \_\_\_\_\_, \_\_\_\_\_, which is relied upon for an earlier filing date under 35 U.S.C. § 120. Thus, copies of these documents are not attached. 37 C.F.R. § 1.98(d).

It is respectfully requested that the Examiner initial and return a copy of the enclosed form PTO/SB/08, and to indicate in the official file wrapper of this patent application that the documents have been considered.

Respectfully Submitted,



Hae-Chan Park  
Reg. No. 50,114

Date: March 30, 2006

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A circular library stamp from the Patent Office. The text "PATENT OFFICE" is curved along the top inner edge, and "TRADEMARK" is curved along the bottom inner edge. In the center, the date "MAR 30 2006" is stamped. Above the date, the letters "O I E L A P" are arranged in a semi-circle. Below the date, the text "t of 1999, no persons are required" is partially visible.

Approved for use through 07/31/2006. OMB 0651-0031

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Substitute for form 1449A/PTO

**Complete if Known**

*(Use as many sheets as necessary)*

Sheet	1	of	2
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<b>Application Number</b>	09/584,189
<b>Filing Date</b>	May 31, 2000
<b>First Named Inventor</b>	Seung-Chan BANG, et al
<b>Art Unit</b>	2631
<b>Examiner Name</b>	BURD, Kevin Michael
<b>Attorney Docket Number</b>	1109.1181 US

## U.S. PATENT DOCUMENTS

[illegible]

## FOREIGN PATENT DOCUMENTS

[illegible]

**Examiner  
Signature**

Date Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Substitute for form 1449B/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 2 of 2

**Complete if Known**

Application Number	09/584,189
Filing Date	May 31, 2000
First Named Inventor	Seung-Chan BANG, et al
Art Unit	2631
Examiner Name	BURD, Kevin Michael
Attorney Docket Number	1109.1181.US

**NON PATENT LITERATURE DOCUMENTS**

Examiner Initials *	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
		Ericsson, "Uplink channelization code allocation in UTRA/FDD, Decision", TSG-RAN Working Group 1 meeting #6, TSGR1#6(99)845, Espoo, Finland, July 13-16, 1999, pp. 1-6	
		ETRI, "Channelization code allocation in uplink multi-code transmissions, Decision", TSG-RAN Working Group 1 meeting #6, TSGR1#6(99)828, Espoo, Finland, July 13-16, 1999, pp. 1-6	
		3 <sup>rd</sup> Generation Partnership Project (3GPP), Technical Specification Group (TSG), Radio Access Network (RAN); Working Group 1 (WG1); Spreading and Modulation (FDD), TS 25.213, V2.0.0 (April, 1999), pgs.1-26	
		3 <sup>rd</sup> Generation Partnership Project (3GPP), Technical Specification Group (TSG), Radio Access Network (RAN); Working Group 1 (WG1); Spreading and Modulation (FDD), TS 25.213, V2.1.0 (June, 1999), pgs.1-26	

Examiner  
SignatureDate  
Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 120 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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